

4 school district maintaining approved schools to furnish such facilities,
 5 provided it is determined by the district and the county board of educa-
 6 tion that the per pupil cost of tuition and transportation to be con-
 7 tracted for does not exceed the per pupil cost of maintaining its own
 8 educational facilities. In the event the total per pupil cost of tuition
 9 and transportation proposed to be contracted for exceeds the total per
 10 pupil cost of maintaining like facilities in its own schools, the district
 11 may nevertheless contract with another district, maintaining approved
 12 schools, to furnish such facilities provided the parents or the persons
 13 standing in loco parentis to the pupils involved will agree to share the
 14 pro rata amount of such excess cost. Contracts made under the pro-
 15 visions hereof shall not be made for a period to exceed one school year.

Approved March 22, 1945.

CHAPTER 128

REORGANIZATION OF SCHOOL DISTRICTS

S. F. 330

AN ACT to provide for the study and survey by the county boards of education of the matter of reorganization of school districts, the submission of plans of reorganization to the voters of affected districts, and making effective any reorganization which may be authorized.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. The county board of education in each county of the
 2 state shall initiate detailed studies and surveys of the school districts
 3 within the county and territory adjacent thereto for the purpose of
 4 promoting such reorganization of districts by unions, mergers, re-
 5 organizations or centralization as will effect more economical opera-
 6 tion and the attainment of higher standards of education in the schools.

1 SEC. 2. The scope of such studies and surveys shall include the
 2 following matters in the various districts in the county: the adequacy
 3 of the educational program, average daily attendance of pupils, prop-
 4 erty valuations, existing buildings and equipment, natural commu-
 5 nity areas, road conditions, transportation, economic factors, and
 6 such other matters that may bear on educational programs meeting
 7 minimum standards required by law.

1 SEC. 3. In making such studies and surveys the board in each
 2 county shall consult with the officials of affected districts and other
 3 citizens, and shall from time to time hold public hearings, and may
 4 employ such research and other assistance as it may determine rea-
 5 sonably necessary in order to properly carry on its survey and pre-
 6 pare definite plans of reorganization. In the development of such
 7 reorganization plans and surveys the county boards shall call upon
 8 the department of public instruction for advice and counsel in order
 9 to keep such reorganization plans in conformity to the statewide
 10 plan of education and to state laws.

1 SEC. 4. Upon final approval by the county board of any plan of
2 reorganization, the county board through its executive officer shall
3 at the next school election, submit same to the qualified electors of
4 the affected districts in the manner provided for in sections 4356
5 and 4357, Code 1939. If sixty per cent of the votes cast in each of
6 the affected districts are in favor of the plan, the same shall go into
7 effect and the reorganized district or districts shall become a school
8 corporation or corporations in accordance with the plan on the first
9 day of July following said election.

10 After a plan has been rejected no new proposal or plan shall be
11 submitted until a period of two years has elapsed from the date of
12 said rejection.

1 SEC. 5. If the plan of reorganization carries, the county board
2 through its executive officer shall call a special election in and for the
3 new school corporation or corporations for the election of directors
4 and treasurer, said election to be held on or before the tenth day of
5 June, and notice of same to be given by one publication in the same
6 newspapers in which the former notices were published, and he shall
7 appoint judges who shall serve without pay. At such election there
8 shall be elected a treasurer for two years, and directors as provided
9 in section 4216.25, Code 1939, and except as may be otherwise pro-
10 vided in this act, the election shall be conducted as provided in Chap-
11 ter 211.1, Code 1939.

1 SEC. 6. If the plan of reorganization so submitted to vote of af-
2 fected districts carries, the newly created district shall pay the ex-
3 penses of the election and the proceedings to initiate the election,
4 and if the plan involved the creation of more than one new district,
5 such costs shall be divided between the new districts in proportion
6 to the assessed valuation of property therein. The costs of the spe-
7 cial election for election of the first board of directors and treasurer
8 shall be paid by each newly formed district. If the plan of reorgani-
9 zation does not carry, the said election expenses shall be apportioned by
10 the county board among the several affected districts in proportion
11 to the assessed valuation of property therein, and as thus appor-
12 tioned be paid by the respective districts.

1 SEC. 7. A plan of reorganization in addition to setting up the
2 territory to comprise the reorganized districts, may provide for a
3 division of assets and liabilities of the old districts between reorganized
4 districts. If no provision is made in the plan for the division of assets
5 and liabilities, such division shall be made under the provisions of
6 sections 4137 to 4139, inclusive, Code 1939.

1 SEC. 8. It is the intent of this act that the county board shall carry
2 on the program of reorganization progressively and shall, in so far
3 as is possible, submit plans as they are developed and approved.

1 SEC. 9. The county board of education shall include in the budget
2 submitted in 1946 for the year 1947, and each year thereafter such
3 sums as it deems necessary to carry on its reorganization work under
4 this act.

1 SEC. 10. The state department of public instruction shall cooperate
2 with the several county boards of education in making the studies

3 and surveys required hereunder. In the case of controversy arising
4 over the organization of joint districts, the matter shall be submitted
5 to the state department of public instruction and its decision shall
6 be final. Joint districts shall mean districts that lie in two or more
7 adjacent counties.

1 SEC. 11. The provisions of this act are supplemental to the existing
2 provisions of law for the promotion of districts and the changing of
3 boundaries of districts.

1 SEC. 12. Provided that school aid funds shall not be withheld from
2 any school solely for the reason that said district has failed to com-
3 ply with an order for reorganization.

Approved April 13, 1945.

CHAPTER 129

TERMINATION OF TEACHERS' CONTRACTS

S. F. 149

AN ACT to amend section four thousand two hundred twenty-nine (4229), code 1939, as amended by chapter 157, Acts of the 49th General Assembly, relating to teachers' contracts, their continuation and termination.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section four thousand two hundred twenty-nine (4229),
2 Code 1939, as amended by chapter 157 Acts of the 49th General Assem-
3 bly, is amended by striking all that part of section 4229 added thereto
4 by said chapter 157, Acts of the 49th General Assembly, and adding at
5 the end of said section 4229 as found in the Code 1939, the following:
6 "Said contract shall remain in force and effect for the period stated
7 in the contract and thereafter shall be automatically continued in force
8 and effect for equivalent periods, except as modified or terminated by
9 mutual agreement of the board of directors and the teacher, until
10 terminated as hereinafter provided. On or before April 15, of each
11 year the teacher may file his written resignation with the secretary of
12 the board of directors, or the board may by a majority vote of the
13 elected membership of the board, cause said contract to be terminated
14 by written notification of termination, by a registered letter mailed to
15 the teacher not later than the tenth day of April; in event of such
16 termination, it shall take effect at the close of the school year in which
17 the contract is terminated by either of said methods. The teacher shall
18 have the right to protest the action of the board, and to a hearing
19 thereon, by notifying the president or secretary of the board in writing
20 of such protest within twenty (20) days of the receipt by him of the
21 notice to terminate, in which event the board shall hold a public hear-
22 ing on such protest at the next regular meeting of the board, or at a
23 special meeting called by the president of the board for that purpose,
24 and shall give notice in writing to the teacher of the time of the hear-
25 ing on the protest. Upon the conclusion of the hearing the board shall
26 determine the question of continuance or discontinuance of the contract
27 by a roll call vote entered in the minutes of the board, and the action